

Panaji, 6th March, 2003 (Phalguna 15, 1924)

SERIES I No. 49

OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Panchayat Raj and
Community Development

Directorate of Panchayats

Order

35/DP/PAN/EMP/2000

In exercise of the powers conferred by section 114 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994), the Government of Goa hereby makes the following order, namely:—

1. *Short title and commencement.*— (1) This Order may be called the Goa Panchayat (staffing pattern, scales of pay and mode of recruitment of staff of Panchayats) Order, 2003.

(2) It shall come into force from the date of its publication in the Official Gazette.

2. *Definitions.*— In this Order, unless the context otherwise requires,—

(a) "Act" means the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994);

(b) "casual employee" means a worker engaged for a work which is essentially of a occasional or casual nature and also includes the workers engaged for the definite job or for a definite period;

(c) "employee" means an employee appointed or deemed to have been appointed by the Panchayat under the Act;

(d) "permanent employee" means an employee who has been appointed on a permanent post and has been confirmed in the said post after satisfactorily completing the probation period;

(e) "probationary employee" means an employee appointed against a permanent post on probation;

(f) "temporary employee" means an employee who has been engaged in a work which is essentially of temporary nature or an employee temporarily appointed for a specific purpose and includes a substitute appointed in place of permanent employee during his absence on leave or otherwise;

Words and expressions used in this Order but not defined shall have the same meaning as assigned to them in the Act.

3. *Staffing Pattern for the Panchayat.*— Ordinarily there shall be one clerk and one peon for the Panchayat having 5 and 7 members, two clerks and one peon for the Panchayat having 9 members, and three clerks and one peon for the Panchayat having 11 members:

Provided that the Panchayat may retain additional staff according to their seniority in service in the respective Panchayat depending on the workload.

4. *Scales of Pay for the Panchayat Employees.*— (1) The clerk of the Panchayat shall be paid basic salary of Rs. 3050/- (Rupees Three thousand and fifty only) per month and a dearness allowance @ 40% of the basic salary, in the pay scale of Rs.3050-75-3950-80-4590;

(2) The peon of the Panchayat shall be paid basic salary of Rs. 2550/- (Rupees two thousand five hundred and fifty only) per month and a dearness allowance @ 40% of the basic salary, in the pay scale of Rs. 2550-55-2660-60-3200:

Provided that where the Panchayats are paying higher salary and emoluments to their employees, they shall continue to pay such higher salary/ emoluments depending upon their work-load and financial resources.

(3) The dearness allowance shall be subject to revision from time to time on par with the rates paid by the State Government to its employees.

(4) The salary and allowances of the employees of the Panchayat shall be paid from the Panchayat fund.

5. Other benefits to Panchayat Employees.—

(1) On and from the date of commencement of this Order the permanent employee shall be entitled for the benefits of employees provident fund, reimbursement of medical expenses, gratuity, pensionary benefits and bonus as applicable to the Government servants of corresponding status.

Save as herein provided, the employees of the Panchayat shall not be entitled to any house rent allowance, compensatory allowance, leave encashment, leave travel concession etc.

6. Travelling Allowance/Daily Allowance to the Employees of the Panchayat.— The employees of the Panchayat shall be paid actual travelling allowance/daily allowance whenever they are required to travel on official duty.

7. Educational and other Qualifications for the direct Recruitment of following staff of the Panchayat.—

1. Clerk:

(i) *Essential Qualification:* (a) S.S.C.E. or equivalent from the recognized Board and typewriting in English with minimum speed of 30 words per minute.

(b) Knowledge of Konkani.

(ii) *Desirable:*

Knowledge of Marathi.

2. Peon:

(i) *Essential Qualification.*— (a) VIIIth Standard from the recognized School.

(b) Knowledge of Konkani.

(ii) *Desirable:*

Knowledge of Marathi.

8. Age limit for Recruitment of Employees in a Panchayat.— On and from the date of commencement of this Order, the age for appointment to the post of clerk and peon in a Panchayat shall be between 18 to 40 years:

Provided that the upper age limit as aforesaid shall be relaxed in cases of the persons belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes as per the order and instructions issued by the Government, from time to time:

Provided further that the age limit as aforesaid shall not be applicable in case of promotees.

9. Mode of recruitment of Panchayat Employees.— There shall be a Departmental Selection Committee/Departmental Promotion Committee for considering cases relating to selection/promotion, consisting of the following persons:—

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| (1) Sarpanch of the respective Panchayat |Chairperson |
| (2) Block Development Officer | Member |
| (3) Representative of the Chief Executive Officer of the concerned Zilla Panchayat | Member |

No appointment or promotion shall be made unless it is duly recommended by the Departmental Selection Committee or Departmental Promotion Committee as the case may be.

10. Probation.— Every employee whether appointed or promoted shall be on probation for

a period of one year from the date of such appointment or promotion and the said one year period may be further extended to a maximum period of two years from the date of original appointment/promotion for reasons recorded in writing.

11. *Promotion.*— Fifty percent of the vacancies of clerks in a Panchayat shall be filled up by promotion failing which by direct recruitment and fifty percent by direct recruitment.

12. *Age of Retirement on superannuation.*— The retirement age for employees working as Clerks in a Panchayat shall be 58 years and that of peons shall be 60 years.

13. *Surplus Cell.*— Whenever any Panchayat discontinues the services of any employee in pursuance of the provisions of section 245 of the Act, such Panchayat shall submit the details of such employee to the Director of Panchayats who shall maintain the register of such surplus employees.

14. *Notifying of vacancies.*— (1) Any vacancy arising in a Panchayat, either due to retirement, termination, retrenchment, death or resignation shall be notified to the Director of Panchayats and no such vacancy shall be filled unless a No Objection Certificate is obtained from the Director of Panchayats.

(2) The Director of Panchayats may recommend to fill the aforesaid vacancy from employees any employees listed in "surplus Cell", fulfilling the required qualifications.

(3) Where there is no employee in the Surplus Cell having required qualifications, the Director of Panchayats may issue "No Objection Certificate" for filling up the vacant post.

15. *Paid Leave.*— (1) Any employee of the Panchayat who has worked continuously for 240 days in the preceding calendar year shall be entitled to the following paid leave during the calendar year:

(i) Earned Leave	21 days
(ii) Casual Leave	7 days
(iii) Sick Leave	8 days.

*Provided that no employee shall be allowed to accumulate the earned leave in excess of 90 days.

(2) Casual Leave, if not availed in a Calendar year, shall lapse. However, sick leave shall be allowed to accumulate upto 45 days.

(3) A female employee shall be entitled to be paid maternity leave of 135 days.

16. *Disciplinary action for Misconduct.*— (1) An employee of the Panchayat may be suspended pending enquiry for any misconduct and if found guilty of such misconduct shall be liable for disciplinary action. For this purpose, the following acts and commission shall be treated as misconduct:—

(a) wilful insubordination or disobedience;

(b) whether alone or in combination with others to disobedience of any lawful and reasonable order of a superior;

(c) theft, fraud or dishonesty in connection with the Panchayat;

(d) wilful damage to or loss of Panchayat goods or property;

(e) taking or giving bribes or any illegal gratification;

(f) habitual absence without leave or absence without leave for more than 30 days;

(g) habitual late attendance;

(h) habitual breach of any law applicable to the Panchayat;

(i) riotous or disorderly behaviour during working hours at the Panchayat or any act subversive of discipline;

(j) habitual negligence or neglect of work; and

(k) striking work or inciting others to strike work in contravention of the provisions of any law, or rules having the force of law.

17. *General conditions.*— (1) The Panchayat will be free to utilize the services of its employee for work connected with the Panchayat without any claim of additional remuneration.

(2) An employee of the Panchayat shall not engage himself/herself in any trade or gainful employment.

(3) An employee of the Panchayat shall not take part or involve in any political activities, directly or indirectly, and also shall not contest elections for Panchayat, Zilla Panchayat, Legislative Assembly and Parliament.

(4) The working hours of the employees shall be as observed by the respective Panchayats.

(5) Any appointment made by the Panchayat in contravention of the provisions of this Order shall be void *ab-initio* and any salary of any amount paid to any employee due to such appointment shall be recovered from the person responsible for such appointment. An employee appointed in contravention of the provisions of this Order shall not be entitled to claim any right for continuation of his appointment.

(6) The provisions of sub-clause (5) above of this Order shall apply to those employees who will be employed by the Panchayats after commencement of this Order.

18. *Termination from service.*— No permanent or temporary employee shall be terminated from service unless a fair and reasonable opportunity is afforded to him/her and proper enquiry is conducted as per the Central Civil Service (Classification, Control and Appeal) Rules.

19. *Savings.*— All the appointments made prior to the commencement of this Order shall not be affected by reasons of educational qualifications and the age and all such appointments shall be deemed to have been made under this Order.

20. *Funds.*— The respective Panchayat shall maintain a separate fund and open a separate Bank Accounts to deposit the fund for the payment of salary and allowances of the employees of the Panchayat.

By order and in the name of the Governor of Goa.

P. M. Borkar, Director of Panchayats & ex officio Joint Secretary.

Panaji, 5th March, 2003.

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Department of Water Resources

Notification

28-1/CE-WR-EO/2002-03/1072

In exercise of powers conferred by Section 1 of sub-section 3 of the Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002) and as per Section 1 of sub-section (2) of the Goa Ground Water Regulation Rules, 2003, The Goa Ground Water Regulation Act, 2002 (Goa Act 1 of 2002) and the Goa Ground Water Regulation Rules, 2003 made there under shall come into force from 17-3-2003 is hereby published for the general information of the public.

By order and in the name of the Governor of Goa.

S. D. Sayanak, Chief Engineer (WR) & ex officio Addl. Secretary.

Panaji, 5th March, 2003.